

CITY OF VENTURA CITY COUNCIL AGENDA

Mayor Neal Andrews

Cheryl Heitmann, Councilmember
Matt LaVere, Deputy Mayor
Jim Monahan, Councilmember

Erik Nasarenko, Councilmember
Mike Tracy, Councilmember
Christy Weir, Councilmember

Dan Paranick, Interim City Manager
Gregory G. Diaz, City Attorney
Antoinette M. Mann, City Clerk

AMENDED 4/20/2018

Item No. 16 Added
Item No. 17 Added

REGULAR MEETING - TELECONFERENCE **MONDAY, APRIL 23, 2018, 6:00 P.M.** **COUNCIL CHAMBERS, 501 POLI STREET, VENTURA** **RESIDENCE INN ARLINGTON-PENTAGON CITY** **550 ARMY NAVY DRIVE, ARLINGTON, VA**

The regular meetings of the San Buenaventura (Ventura) City Council also serve as regular meetings of the Successor Agency and Public Facilities Financing Authority when Successor Agency and Public Facilities Financing Authority items are listed on the agenda.

The public has the opportunity to address the City Council on any item appearing on the agenda. Persons wishing to address the City Council are limited to three minutes on any agenda item with a cumulative total of five minutes for all agenda items, except if there are one or more Successor Agency and Public Facilities Financing Authority items on the agenda, members of the public shall have an additional total of three minutes on any agenda item with a cumulative total of five minutes for all agenda items to address all Successor Agency and Public Facilities Financing Authority matters.

At the first regular meeting of the month, City Council has allocated a total of 30 minutes for members of the public to address City Council on items of City business other than scheduled agenda items near the beginning of the agenda and will continue speakers beyond the 30 minutes until the end of the agenda under the heading of "Public Communications". Individuals may not acquire additional time from other speakers during Public Communications but may do so on formal agenda items per City Council Protocols. City Council cannot take action on any items not on the agenda. These items may be referred to staff or scheduled on a future agenda.

Persons wishing to address City Council should complete and submit a green "Speaker Form." If a member of the public wishes to comment on an item, complete a pink "Comment Form." Both forms are on a table inside the meeting room.

Administrative Reports relating to this agenda are available in the City Clerk's Office, 501 Poli Street, Room 204, Ventura, during normal business hours as well as on the City's website – <https://www.cityofventura.ca.gov/AgendaCenter>.

Public Hearing Notices and any materials related to an agenda item submitted to the City Council after distribution of the agenda packet are available for public review at the City Clerk's Office as well as on the City's website – <https://www.cityofventura.ca.gov/1236/9455/City-Council-Public-Hearing-NoticesSuppl>.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk's Office at (805) 658-4787 or the California Relay Service at (866) 735-2929. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

ROLL CALL

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

Mayor For a Moment – Punctuality — Sheridan Way Elementary School

Proclamation – April 2018 – Fair Housing Month

CLOSED SESSION REPORT

CITY COUNCIL COMMUNICATIONS

Per Government Code Section 54954.2(a)(2), the Council Communications section of the agenda provides City Council the opportunity to ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities.

CONSENT ITEMS

Matters appearing on the Consent Calendar are expected to be non-controversial and will be acted upon by City Council at one time without discussion unless a Councilmember, the Administration, or a member of the public requests an opportunity to address any given item. Items removed from the Consent Calendar will be discussed at the beginning of the Formal Items. Approval by the City Council of Consent Items means the recommendation of the Administration is approved along with the terms and conditions described in the Administrative Report.

1. [Council Quarterly Travel Report](#)

Introduced by: Dan Paranick, Interim City Manager

RECOMMENDATION

Receive and file the Quarterly Travel Report for January through March 2018.

2. [Request for Second Amendment to Professional Services Agreement with David Fukutomi for Thomas Fire Recovery Efforts](#)

Staff: Barry Fisher, Acting Assistant City Manager

RECOMMENDATION

Authorize the Mayor to execute the Second Amendment to a Professional Services Agreement with David Fukutomi dated December 7, 2017, extending the effective date through June 30, 2018.

CONSENT ITEMS (continued)

3. [Request for Authorization to Extend Outside Counsel Services \[Olivarez Madruga Lemieux O'Neil, LLP\] For Pending Litigation — Thomas Fire Litigation \(Lewis/Ramser/Diaz/Yount\)](#)

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Authorize the City Attorney to enter into an extended legal services agreement with Olivarez Madruga Lemieux O'Neil, LLP, in an amount not-to-exceed an additional \$450,000 to continue representation of the City in four lawsuits filed against the City of San Buenaventura related to the Thomas Fire.

4. [Consideration of Resolution Re-Confirming the Existence of a Local Emergency and a Local Public Health Emergency](#)

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Adopt a Resolution re-confirming the Existence of a Local Emergency, title as follows:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, RE-CONFIRMING THE CONTINUING EXISTENCE OF A LOCAL EMERGENCY AND A LOCAL PUBLIC HEALTH EMERGENCY”

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA RE-CONFIRMING THE CONTINUING EXISTENCE OF A LOCAL EMERGENCY AND A LOCAL PUBLIC HEALTH EMERGENCY
RESOLUTION NO. 2018-___

5. [Housing Trust Fund](#)

Staff: Jeffrey Lambert, Community Development Director

RECOMMENDATION

- a. Allocate \$250,000 to the Ventura County Housing Trust Fund over a 5-year period, releasing \$50,000 in year one and \$50,000 in each subsequent year.

CONSENT ITEMS (continued)

- b. Authorize Finance and Technology Department to increase appropriation in the proper fiscal years and projects during Fiscal years 2018-2019 through 2022-2023 to support this funding; funding available in the General Fund Housing Preservation Equity Account.

6. [Additional Resources for Community Development – Fifth Amendment to Professional Service Agreement No. 100003422 with Stuart Consulting Services, LLC.](#)

Staff: Jeffrey Lambert, Community Development Director

RECOMMENDATION

Authorize the Mayor to execute the Fifth Amendment to Stuart Consulting Services, LLC Professional Services Agreement No. 100003422 dated April 27, 2015, with term ending June 30, 2019, adding \$70,000 for a new not-to-exceed amount of \$229,000.

7. [Sewerline Replacement – Main Street and Coronado Street Award of Construction Contract](#)

Staff: Tulson Clifford, Public Works Director

RECOMMENDATION

- a. Approve the award of contract and authorize the Mayor to execute an agreement with the lowest responsive and responsible bidder, Toro Enterprises, Inc., of Oxnard, for the Sewerline Replacement Project – Main Street and Coronado Street, Specification No. 2017-022, in the amount of \$823,525.
- b. Authorize the encumbrance of contingency funds for the project in the amount of \$82,352 for use by the Public Works Director during construction.
- c. Authorize the Finance and Technology Department to assign increased appropriations and revenues to the proper projects and accounts.

CONSENT ITEMS (continued)

8. [Approval of Fiscal Year 2018-2019 State Road Repair and Accountability Act of 2017 Project List and Appropriate Funding \(SB 1\)](#)

Staff: Tulson Clifford, Public Works Director

RECOMMENDATION

- a. Approve the Fiscal Year 2018-2019 Road Repair and Accountability Act of 2017 project list.
- b. Adopt a resolution for the Fiscal Year 2018-2019 Project List to add project(s) on the Road Repair and Accountability Act of 2017 project list.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA ADOPTING THE FISCAL YEAR 2018-2019 LIST OF PROJECTS FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT
RESOLUTION NO. 2018-____

9. [Lease Agreement between the City of Ventura and JSM, LLC \(Marie Shannon Confections & Bakery\) for the City owned outdoor patio area located adjacent to and south of 27 Chestnut Street](#)

Staff: Tulson Clifford, Public Works Director

RECOMMENDATION

- a. Authorize the City Manager to enter into a Lease Agreement between JSM, LLC and the City of Ventura from September 1, 2018 to August 31, 2023 for a portion of the City-owned surface parking lot (APN# 073-0-042-130) located adjacent to and south of 27 Chestnut Street.
- b. Authorize Finance and Technology to deposit the new revenue into the Parking Structure Trust account in the amount of \$284 per month.

10. [Advanced Metering Infrastructure – Authorization to Award the Installation of Meters for the Advanced Metering Infrastructure Project](#)

Staff: Kevin Brown, Ventura Water General Manager

RECOMMENDATION

- a. Approve the award of contract and authorize the Mayor to execute an agreement with the lowest responsive and responsible bidder, Professional Meters Inc., for the Advanced Metering Infrastructure Project – Water Meter and Antenna Installations project, Specification No. 2017-004, in the amount of \$3,038,357.14.

CONSENT ITEMS (continued)

- b. Authorize the encumbrance of the contract amount plus contingency funds of \$611,642.86 for a total not-to-exceed amount of \$3,650,000.00 for use by the Ventura Water General Manager during installation.

11. [Ordinance for Second Reading – Amendment to Section 22.240.240.A Clarifying the Ability to Impose Mass Based Pretreatment Local Limits \(San Buenaventura Municipal Code Chapter 22.240\)](#)

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Waive the second reading in full and adopt an Ordinance, titled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING SECTION 22.240.040.A OF THE SAN BUENAVENTURA MUNICIPAL CODE RELATING TO PRETREATMENT LOCAL LIMITS (Introduced 4/9/18; Vote: 7-Yes; 0-No)

ORDINANCE NO. 2018-____

PUBLIC HEARING

12. [Inclusionary Housing and Affordable Housing Programs - Initiate 2018 Work Plan, Amend Division 24R within the Municipal Code and Add Division 25, "Affordable Housing Regulations," to the Municipal Code](#)

Staff: Jeffrey Lambert, Community Development Director

RECOMMENDATION

- a. Review and initiate the proposed Inclusionary Housing Program Update Work Plan.
- b. Review and approve the proposed Inclusionary Housing Program Update Budget, to include the following:
 - 1. In-Lieu and Linkage Fee Study (BAE Urban Economics) - \$87,440
 - 2. CEQA Environmental Review (Rincon Consultants) - \$18,795
 - 3. Legal Services for Program Updates and Ordinance Preparation (outside counsel) - \$15,000
 - 4. Civic Engagement (internal staff) - \$10,000

PUBLIC HEARING (continued)

- c. Introduce and waive the first reading of an Ordinance titled: Repealing Chapter 24R.240, "Interim Inclusionary Housing Program" and Chapter 24R.250, "Affordable Housing Program in the Merged San Buenaventura Redevelopment Project Area", of the San Buenaventura Municipal Code and Adding Division 25, "Affordable Housing Regulations," Chapter 25.200, "Interim Inclusionary Housing Program," and Chapter 25.300 "Affordable Housing Program in the Merged San Buenaventura Redevelopment Project Area" to Provide Alternative Means of Determining the Affordability Levels for Inclusionary Housing Units; and Authorizing the Levy of Fees and Deposits in Connection with the City's Inclusionary Housing Programs.
- d. Set the proposed Ordinance Amendment for a second reading and adoption at the City Council meeting of May 7, 2018

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, REPEALING CHAPTER 24R.240, "INTERIM INCLUSIONARY HOUSING PROGRAM" AND CHAPTER 24R.250, "AFFORDABLE HOUSING PROGRAM IN THE MERGED SAN BUENAVENTURA REDEVELOPMENT PROJECT AREA", OF THE SAN BUENAVENTURA MUNICIPAL CODE AND ADDING DIVISION 25, "AFFORDABLE HOUSING REGULATIONS," CHAPTER 25.200, "INTERIM INCLUSIONARY HOUSING PROGRAM," AND CHAPTER 25.300 "AFFORDABLE HOUSING PROGRAM IN THE MERGED SAN BUENAVENTURA REDEVELOPMENT PROJECT AREA" TO PROVIDE ALTERNATIVE MEANS OF DETERMINING THE AFFORDABILITY LEVELS FOR INCLUSIONARY HOUSING UNITS; AND AUTHORIZING THE LEVY OF FEES AND DEPOSITS IN CONNECTION WITH THE CITY'S INCLUSIONARY HOUSING PROGRAMS

ORDINANCE NO. 2018-____

FORMAL ITEMS

13. [Museum of Ventura County Funding Request](#)

Staff: Nancy O'Connor, Parks, Recreation and Community Partnerships Director

RECOMMENDATION

- a. Receive a status report from the Museum of Ventura County.
- b. Provide direction to staff regarding the funding request from the Museum of Ventura County.

FORMAL ITEMS (continued)

14. [Thomas Fire Recovery Action Plan Implementation – Amending and Restating the Thomas Fire Rebuild Overlay Zone Emergency Ordinance, PROJ-12143](#)

Staff: Jeffrey Lambert, Community Development Director

RECOMMENDATION

- a. Introduce and adopt by four-fifths vote an emergency ordinance approving an Amendment for Height Regulations to the Thomas Fire Rebuild Overlay Zone (Case No. OA-3-18-44451), entitled:

“AN EMERGENCY ORDINANCE OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING AND RESTATING THE THOMAS FIRE REBUILD OVERLAY ZONE”

- b. Authorize the Mayor to execute the 8th Amendment to Rincon Consultants, Inc Professional Services Agreement No. 100002835 dated January 31, 2014, adding \$156,125 for a new total contract amount of \$853,640 for additional planning services to process anticipated Modification Permits or Height Variance applications for Thomas Fire Recovery applicants.

AN EMERGENCY ORDINANCE OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING AND RESTATING THE THOMAS FIRE REBUILD OVERLAY ZONE ORDINANCE NO. 2018-____

15. [Select the Preferred Development Team for the Purchase/Lease of the Ventura Veterans Home Development Site](#)

Staff: Jeffrey Lambert, Community Development Director

RECOMMENDATION

- a. Approve a Community of Friends/U.S. Vets Development Team as the Preferred Developer for final negotiations for the Ventura Veterans Home Site and select Housing Authority of the City of San Buenaventura/Many Mansions as the Alternate Preferred Developer.
- b. Authorize the Community Development Director to negotiate the terms of a Disposition and Development Agreement or Land Lease Agreement or similar document with the Preferred Developer for City Council consideration.

FORMAL ITEMS (continued)

- c. Authorize funding at a not-to-exceed amount of \$85,000 to be transferred to the Community Development Department budget from the General Fund Contingency Fund over the course of Fiscal Year 2017-2018 and Fiscal Year 2018-2019. This amount will cover costs to continue the work to pursue development and funding for additional veterans housing and services for the Ventura Veterans Home Development Site, including consultant agreement and legal costs. These costs will be fully reimbursed through the expected real estate transaction.
- d. Authorize the City Manager to amend the existing contract with Dyer Sheehan Group from the current not-to-exceed amount of \$125,000 to a not-to-exceed amount of \$160,000 and to extend the term to June 30, 2019 for continued work with the City and the Preferred Developer through the Pre-Application Review and Disposition and Development Agreement/Lease Agreement processes.
- e. Authorize Finance and Technology to assign/transfer appropriations from General Fund Contingency to the proper funds, projects and accounts in the Community Development Department budget for FY 2017-2018 and FY 2018-2019 for an amount not to exceed \$85,000.

PUBLIC NOTICES

Items listed under Public Notices are a matter of public record only. These items do not require City Council action.

16. [Recent Decisions of the Design Review Committee](#)

Design Review Committee April 18, 2018 Actions: Denied PROJ-9801 – Case No. DRC-11-17-42718

Formal Design Review of a new Auto Center Freeway Sign approximately 82 feet high, with double-face, full color light-emitting diode (LED) screen areas of approximately 20 feet high, and 60 feet wide, to be located on vacant City land at the northern edge of Leland Street, bounded on the north by Southern Pacific Railroad, and on the East by Ventura County Flood Control Moon Ditch, in the northwest portion of the 67.2-acre Auto Center Specific Plan Area; Scott Hampton, YESCO Signs, LLC, applicant; zoned CPD.

PUBLIC NOTICES (continued)

Design Review Committee April 18, 2018 Actions: Approved PROJ-10694 – Case Nos. DRC-5-17-40194 & PD-5-17-40195

Formal Design Review and Planned Development Permit to construct a new three-story, 8,539-square foot office building with 26 new parking spaces, 3 bicycle parking spaces, a protected play yard and trash enclosure on an approximately 1.0 acre site that is partially developed with an existing two-story, 6,569 square foot office building with 21 existing parking spaces located at 4880 Market Street; Star of CA, applicant; MPD zone.

CONSENT ITEMS (continued)

17. [Consideration of Amgen Tour of California Cycling Race Contract](#)

Staff: Gregory G. Diaz, City Attorney

Approve the proposed Amgen Tour of California Cycling Race Contract and authorize the Interim City Manager to execute the Agreement on behalf of the City

PUBLIC COMMUNICATIONS

CITY COUNCIL COMMUNICATIONS/REPORTS – REGIONAL BOARDS/COMMISSIONS/COMMITTEES

Per Governmental Code Section 54954.2(a)(2), the Council Communications section of the agenda provides City Council the opportunity to ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Councilmembers serving on regional boards, commissions, or committees to present a verbal report to the full City Council on the activities of the respective boards, commission, or committees upon which they serve.

CITY MANAGER COMMUNICATIONS

ADJOURNMENT

This agenda was posted on Wednesday, April 18, 2018, at 5:00 p.m. in the City Clerk's Office, on the City Hall Public Notices Board and on the internet. Posted at Teleconference location on Friday, April 20, 2018. Amended Agenda posted on Friday, April 20, 2018 at 9:00 a.m.